

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 5497

A BY-LAW to authorize the expropriation of certain real property.

WHEREAS it is deemed necessary and in the public interest to expropriate the real property hereinafter described for highway purposes and to construct and install therein and thereon necessary municipal works and services.

NOW THEREFORE the Council of The Corporation of the District of Burnaby ENACTS as follows:

1. This By-law may be cited as "BURNABY HIGHWAY EXPROPRIATION BY-LAW NO. 1, 1969".

2. For highway purposes and for the construction and installation therein and thereon of necessary municipal works and services, The Corporation of the District of Burnaby is hereby authorized, empowered, without the consent of the owners of the real property, but subject to the provisions of Division (4) of Part XII of the "Municipal Act":

(a) By its servants and agents to enter upon, expropriate, break up, take or enter into possession of or use all and singular those certain parcels or tracts of lands and premises situate, lying and being in the Municipality of Burnaby, in the Province of British Columbia, and being more particularly known and described as follows:

(i) Part of Parcel "K" (16405F - Plan with fee deposited) of Lots One (1) and Eight (8), Plan 845, District Lot Four (4), Group One (1), New Westminster District and lying northerly of the Lougheed Highway, and which may be described more particularly as follows:

Commencing at the intersection of the northerly boundary of the Lougheed Highway with the Northwesterly boundary of Austin Road;

Thence N. 50° 15' 00" W. and following the northerly boundary of the Lougheed Highway a distance of 20.00 feet;

Thence S. 82° 59' 00" E. a distance of 15.39 feet more or less to an intersection with the westerly boundary of Lot 51, Plan 31308;

Thence S. 0° 30' 00" E. and following the westerly boundary of said Lot 51 a distance of 10.91 feet, more or less, to the point of commencement. The bearings used herein are astronomic and are referred to the meridian of Plan 21111. The herein described area contains by calculation 0.002 of an acre be the same more or less.

(ii) Part of Lot "H", (Explanatory Plan 15089), District Lot Four (4), Group One (1), New Westminster District, and which may be described more particularly as follows:

Commencing at a point in the northerly boundary of Government Road distant 146.25 feet westerly from the most easterly corner of said Lot "H" lying on the northerly boundary of Government Road;

Thence on a bearing of N. 89° 38' 00" W., and following the northerly boundary of Government Road, a distance of 173.66 feet;

Thence northeasterly on a circular curve to the left having a radius of 195.46 feet, an arc distance of 175.27 feet;

Thence on a bearing of N. 38° 59' 20" E. a distance of 78.54 feet, more or less, to a point in the southwesterly boundary of the Lougheed Highway as shown on Plan 21111;

Thence S. 50° 15' 00" E. and following the southwesterly boundary of the Lougheed Highway, a distance of 73.10 feet;

Thence southwesterly on a circular curve to the left of radius 427.16 feet, an arc distance of 78.01 feet;

Thence southwesterly on a circular curve to the right of radius 261.46 feet, an arc distance of 44.53 feet, more or less, to the point of commencement; the bearings used herein are astronomic and are referred to the meridian of Plan 21111. The herein described parcel contains by calculation 0.252 acre, be the same more or less;

all as shown outlined in red on reference plan prepared by Bryan S. Berting, B.C.L.S., dated the 17th day of January, 1969, a copy of which is attached hereto.

2. (b) By its servants and agents to enter upon any real property which may be injuriously affected by the exercise of any of the aforesaid powers for the purpose of executing any works of construction, maintenance, or repair in mitigation of injuries done or apprehended or in reduction of compensation.

3. This By-law shall, before coming into effect, be published once in the B. C. Gazette and in a newspaper published or circulating in the Municipality of Burnaby and a certified copy of the by-law shall be filed in the Land Registry Office at New Westminster,

in the Province of British Columbia.

Read a first time this 17th day of March, 1969.

Read a second time this 17th day of March, 1969.

Read a third time this 17th day of March, 1969.

Reconsidered and adopted this 24th day of March,  
1969.



*Robert W. Ruthe*  
M A Y O R

*J. Ward*  
DEPUTY C L E R K